

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ROLAND JOHNSON,

Plaintiff,

v.

Case Number 10-14357

Honorable Thomas L. Ludington

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, DENYING PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT, AND DISMISSING PLAINTIFF'S  
COMPLAINT WITH PREJUDICE**

United States Magistrate Judge R. Steven Whalen issued a report and recommendation (ECF No.12) on October 31, 2011, recommending that the Court grant Defendant's motion for summary judgment (ECF No. 11), deny Plaintiff's motion for summary judgment (ECF No. 10), and dismiss Plaintiff's complaint with prejudice. Either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a "de novo determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Accordingly, it is **ORDERED** that Judge Whalen's report and recommendation (ECF No. 12) is **ADOPTED**.

It is further **ORDERED** that the Defendant's motion for summary judgment (ECF No. 11) is **GRANTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment (ECF No. 10) is **DENIED**.

It is further **ORDERED** that Plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: November 15, 2011

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 15, 2011.

s/Tracy A. Jacobs  
TRACY A. JACOBS